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DATE FILED: 12/10/07 (R)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-x

UNITED STATES OF AMERICA : :

- v. - : STIPULATION

ROBERT COPLAN, : 07 CR 453 (SHS)

MARTIN NISSENBAUM, :

RICHARD SHAPIRO, and :

BRIAN VAUGHN, :

Defendants.

-x

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that:

- 1) The parties are scheduled to appear before the Court for a pretrial conference on December 13, 2007;
- 2) Since the last pretrial conference, the Government has actively and regularly produced discovery materials pursuant to Rule 16 of the Federal Rules of Criminal Procedure;
- 3) The discovery process is ongoing and will continue over the upcoming months; the Government has advised defense counsel that it continues to receive voluminous productions of documents that will be produced to the defense;
- 4) The parties have continued to work together cooperatively to resolve problems that have arisen with respect to electronic and paper discovery;
- 5) Defense counsel are continuing to work together cooperatively to manage jointly the burdens of the discovery process in this matter;
- 6) The Government has not yet obtained a superseding indictment, and has advised defense counsel that, given a variety of factors including but not limited to scheduling difficulties created by the upcoming holiday season, it does not expect to be able to obtain a superseding indictment until early to mid-February of 2008;

- 7) None of the defendants is incarcerated;
- 8) Under all the circumstances, an adjournment of the pretrial conference

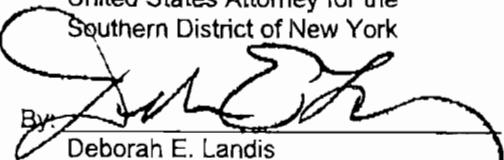
currently scheduled for December 13, 2007 would be appropriate, especially insofar as it would alleviate the need for out-of-town counsel to travel to New York for a brief appearance;

- 9) Under all the circumstances, an adjournment until early or mid-February 2008,

or until such other date as the Court deems appropriate, ~~would serve the ends of justice, and would outweigh the interests of the public and of the defendants in a speedy trial.~~ Thus, an exclusion of time until ~~such date~~ <sup>for 2/1/08</sup> ~~would also be appropriate pursuant to Title 18, United States Code, Section 3161(h)(8)(A).~~ *and is hereby ordered*

Dated: December 6, 2007

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York

By:   
Deborah E. Landis  
Assistant United States Attorney

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PAULA JUNGHANS  
Zuckerman Spaeder LLP  
Counsel for Defendant Robert Coplan

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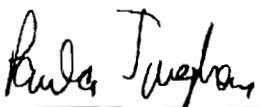
  
BRIAN LINDER  
Clayman & Rosenberg  
Counsel for Defendant Martin Nissenbaum

- 7) None of the defendants is incarcerated;
- 8) Under all the circumstances, an adjournment of the pretrial conference currently scheduled for December 13, 2007 would be appropriate, especially insofar as it would alleviate the need for out-of-town counsel to travel to New York for a brief appearance;
- 9) Under all the circumstances, an adjournment until early or mid-February 2008, or until such other date as the Court deems appropriate, would serve the ends of justice, and would outweigh the interests of the public and of the defendants in a speedy trial. Thus, an exclusion of time until such date would also be appropriate pursuant to Title 18, United States Code, Section 3161(h)(8)(A).

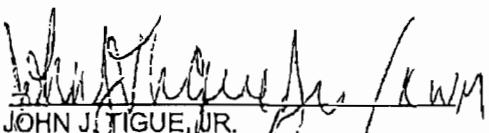
Dated: December 6, 2007

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York

By: \_\_\_\_\_  
Deborah E. Landis  
Assistant United States Attorney

  
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PAULA JUNGHANS  
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Counsel for Defendant Martin Nissenbaum

  
JOHN J. TIQUE, JR.  
Morvillo, Abramowitz, Grand, Iason, Anello &  
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Counsel to Richard Shapiro

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Counsel to Brian Vaughn

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Morvillo, Abramowitz, Grand, Iason, Anello &  
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Counsel to Richard Shapiro

*Amanda Barbour for Peter Barrett*  
PETER BARRETT  
Butler, Snow, O'Mara, Stevens & Cannada, PLLC.  
Counsel to Brian Vaughn

SO ORDERED 12/10/07

*Sidney H. Stein*  
SIDNEY H. STEIN  
U.S.D.J.